

1617 RCE/1



<p align="center"><b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b></p> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</p>	<i>Application Number</i>	09/291,227
	<i>Filing Date</i>	April 13, 1999
	<i>First Named Inventor</i>	Michael Griffin Hayek
	<i>Group Art Unit</i>	Unknown
	<i>Examiner Name</i>	Unknown
	<i>Attorney Docket Number</i>	1448.019US1

#28  
AKO  
8-27-02

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application entitled LUTEIN - CONTAINING SUPPLEMENT AND PROCESS FOR ENHANCING IMMUNE RESPONSE IN ANIMALS.

Submission required under 37 C.F.R. § 1.114

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1. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ☐
2. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ☐
3. ☒ An Amendment Under 37 CFR § 1.116 (5 pages) is enclosed.
4. ☐ A new power of attorney (☐ pages) is enclosed.
5. ☐ An Information Disclosure Statement is enclosed (☐ pages)
  - a. ☐ Form(s) 1449
  - b. ☐ Copies of IDS Citations
6. ☒ A check in the amount of \$740.00 is attached to pay the RCE filing fee required under C.F.R. § 1.17(e).
7. ☒ The Commissioner is hereby authorized to credit overpayments or charge any fees set forth in 37 C.F.R. §§ 1.16 through 1.18 to Deposit Account No. 19-0743.
8. ☒ A petition for extension of time in the prior application (1 pages) is enclosed along with a check in the amount of \$920.00 to pay the extension fee.
9. ☒ Other: Copy of the Supplemental Information Disclosure Statement filed March 14, 2002 (3 pages).
10. ☒ Other: Declaration of Michael Griffin Hayek Under 37 CFR § 1.132 (3 pages).

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P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By:   
Atty: Ann S. Viksnins  
Reg. No. 37,748

**Customer Number 21186**

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, D.C. 20231, on this 14th day of August, 2002.

Name

Signature



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**COPY**

In re Patent Application of: Michael Griffin Hayek

Title: LUTEIN - CONTAINING SUPPLEMENT AND PROCESS FOR ENHANCING  
IMMUNE RESPONSE IN ANIMALS

Serial No.: 09/291,227

Filing Date: April 13, 1999

Receipt is hereby acknowledged for the following in the United States Patent and  
Trademark Office:

**CONTENTS:** An Amendment and Response Under 37 CFR 1.116, including Clean  
Version of Pending Claims 11 pgs); Copy of *Ex Parte Levensgood* (2 pgs); Petition for  
Extension of Time (1 pg.); a check in the amount of \$920.00 to cover the Extension of Time  
Fee; a Supplemental Information Disclosure Statement (1 pg), Form 1449 (1 pg.), and copies  
of 3 cited references; a check in the amount of \$180.00 to cover the fee for consideration of  
Information Disclosure Statement under 97(c); Notice of Appeal (1 pg.); a check in the  
amount of \$320.00 for the Notice of Appeal filing fee; a Return Postcard and  
TRANSMITTAL SHEET.

Mailed: March 14, 2002  
KAJ/cbb

Docket No.: 1448.019US1  
Due Date: March 14, 2002



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EXPEDITED PROCEDURE - EXAMINING GROUP Unknown

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PATENT

S/N 09/291,227

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Michael Griffin Hayek	Examiner:	Wang, Shengjun
Serial No.:	09/291,227	Group Art Unit:	1617
Filed:	April 13, 1999	Docket:	1448.019US1
Title:	LUTEIN - CONTAINING SUPPLEMENT AND PROCESS FOR ENHANCING IMMUNE RESPONSE IN ANIMALS		

#29  
AKD  
8-27-02

**AMENDMENT & RESPONSE UNDER 37 C.F.R. § 1.116**

Box AF  
Commissioner for Patents  
Washington, D.C. 20231

In response to the final Office Action mailed September 14, 2001, Advisory Action mailed April 23, 2002 and the Notice of Appeal filed March 14, 2002, Applicant submits the following response.

This response is accompanied by a Petition, as well as the appropriate fee, to obtain a three-month extension of the period for responding to the Office action, thereby moving the deadline for response from May 14, 2002 to August 14, 2002.

**REMARKS**

Applicant has carefully reviewed and considered the final Office Action mailed on September 14, 2001 and the Advisory Action mailed April 23, 2002 and the references cited therewith. Applicant thanks the examiner for entering the previously proposed claim amendments.

Claims 1 and 3-11 are pending in this application.

**Information Disclosure Statement**

Applicant respectfully requests that a copy of the 1449 Form, listing all references that were submitted with the Supplemental Information Disclosure Statement filed on March 14, 2002, marked as being considered and initialed by the Examiner, be returned with the next official communication. For the Examiner's convenience, Applicant has included a copy of the Supplemental Information Disclosure Statement filed on March 14, 2002.